



IPW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q75966

Kazuo KURODA, et al.

Appln. No.: 10/617,395

Group Art Unit: 2655

Confirmation No.: 3407

Examiner: Not Yet Assigned

Filed: July 11, 2003

For: ROTATION CONTROL APPARATUS OPERATING WITH A SYNC SIGNAL
HAVING VARIABLE INTERVALS

REQUEST FOR REPLACEMENT OFFICIAL FILING RECEIPT

ATTN: Office of Initial Patent Examination
Filing Receipt Correction
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and request the following correction(s):

Power of Attorney:

~~John Mion--18879~~

Robert Sloan--22775

David J. Cushing--28,703

~~Donald Zinn Sr--19046~~

Darryl Mexic--23063

Richard C. Turner--29,710

~~Robert McMorow--19093~~

Peter Olexy--24513

Howard L. Bernstein--25,665

~~Thomas MacPeak--19292~~

~~Louis Gubinsky--24835~~

Alan J. Kasper--25,426

~~Robert Seas Jr--21092~~

Neil Siegel--25200

Gordon Kit--30,764

William H. Mandir--32,156

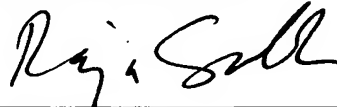
Abraham J. Rosner--33,276

Request for Replacement Official Filing Receipt
U.S. Application No. 10/617,395

Attorney Docket No.: Q75966

Verification for the requested correction(s) is indicated on the Reissue Declaration Under
37 C.F.R. § 1.175 filed July 11, 2003.

Respectfully submitted,



Raja Saliba
Registration No. 43,078

SUGHRUE MION, PLLC
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 15, 2005

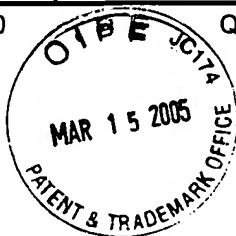


UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|--------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/617,395 ✓ | 07/11/2003 ✓ | 2655 | 1290 | Q75966 ✓ | 11 ✓ | 36 ✓ | 4 ✓ |

23373
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 WASHINGTON, DC 20037



CONFIRMATION NO. 3407

FILING RECEIPT



OC000000015133265

Date Mailed: 02/08/2005

Receipt is acknowledged of this reissue Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kazuo Kuroda, Tokorozawa-City, JAPAN; ✓
 Masayoshi Yoshida, Tokorozawa-City, JAPAN; ✓
 Toshio Suzuki, Tokorozawa-City, JAPAN; ✓

Power of Attorney:

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~~Donald Zinn Sr-19046~~
~~Robert McMorro-19093~~
~~Thomas MacPeak-19292~~
~~Robert Seas Jr-21092~~

Robert Sloan-22775
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David J. Cushing -- 28,703

Richard C. Turner -- 29,710

Howard L. Bernstein -- 25,665

Alan J. Kasper -- 25,426

Gordon Kit -- 30,764

William H. Mandir -- 32,156

Abraham J. Rosner -- 33,276

Domestic Priority data as claimed by applicant

This application is a DIV of 09/899,104 07/06/2001 PAT R,E38,595
 which is a REI of 09/191,999 11/16/1998 PAT 5,920,530
 which is a CON of 08/816,138 03/12/1997 PAT 5,875,163 ✓

Foreign Applications

JAPAN P8-84578 03/13/1996 ✓

If Required, Foreign Filing License Granted: 02/08/2005

The country code and number of your priority application, to be used for filing abroad under the Paris

Convention, is **US10/617,395**

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

Title

Rotation control apparatus operating with a sync signal having variable intervals ✓

Preliminary Class

369

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



PATENT APPLICATION

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Filed: July 11, 2003

For: ROTATION CONTROL APPARATUS OPERATING WITH A SYNC SIGNAL
HAVING VARIABLE INTERVALS

LIST OF ATTORNEYS PURSUANT TO 37 C.F.R. § 1.32(c)(3)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.32(c)(3), please recognize the following ten or fewer registered patent attorneys or registered patent agents named on the Reissue Declaration Under 37 C.F.R. § 1.175 executed by the inventors on July 4, July 3, and July 4, 2001 as being of record in the above identified Application or Patent.

Robert V. Sloan--22,775

Howard L. Bernstein--25,665

Darryl Mexic--23,063

Alan J. Kasper--25,426

Peter D. Olexy--24,513

Gordon Kit--30,764

David J. Cushing--28,703

William H. Mandir--32,156

Richard C. Turner--29,710

Abraham J. Rosner--33,276

The above identified attorneys are also associated with Customer Number 23373.

Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 15, 2005

BEST AVAILABLE COPY**PATENT APPLICATION****Attorney Docket No.****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re reissue Application of Kazuo KURODA et al.

Reissue Application of US Patent No. 5,920,530 issued on July 6, 1999

Filed: Herewith

**For: ROTATION CONTROL APPARATUS OPERATING WITH
A SYNC SIGNAL HAVING VARIABLE INTERVALS**

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175**FILED**

JUL - 6 2001

We, Kazuo KURODA, Masayoshi YOSHIDA and Toshio SUZUKI, all of Tokorozawa,
Japan, do hereby declare and state as follows:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are the original, first and joint inventors of the invention "ROTATION
CONTROL APPARATUS OPERATING WITH A SYNC SIGNAL HAVING VARIABLE
INTERVALS" which is described and claimed in the above-identified U.S. Patent No. 5,920,530,
issued July 6, 1999 and assigned to PIONEER ELECTRONIC CORPORATION, the specification of
which is submitted with this application for reissue; and that we have reviewed and understand the
contents of the specification, including the claims, as amended in this application for reissue.

In compliance with 37 C.F.R. § 1.175(a)(7) and 1.63(b)(3), we hereby acknowledge our duty
to disclose information of which we are aware which is material to patentability as defined in 37
C.F.R. § 1.56.

We hereby claim the benefit of 35 U.S.C. § 119 of the foreign application for patent listed
below and have also identified on said list any foreign application for patent or inventor's

REISSUE DECLARATION UNDER 37 C.F.R. § 1.175
ISSUE APPLICATION OF U.S. PATENT NO. 5,920,530

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certificate on this invention having a filing date before that of any foreign application on which priority is claimed:

| Application No. | Country | Filing Date | Priority Claimed |
|-----------------|---------|----------------|------------------|
| 084578/96 | JAPAN | March 13, 1996 | YES |

The priority document was filed in application No. 08/816,138, which is patented as U.S. Patent No. 5,875,163.

In compliance with 37 C.F.R. §§ 1.175(a), we hereby declare and state that the above-identified U.S. Patent No. 5,920,530 is believed to be at least partly inoperative for the reason that claim 1 of the above-identified patent includes a term that is used differently in the description of the specification.

Pursuant to 37 C.F.R. section 1.175(a)(1), we state as follows at least one error in the patent, which is relied on as a basis for this reissue.

The patent claim 1 recites a "unit period signal generator" in the first paragraph of the body of the claim. The unit period signal generator represents the reference signal generator 13 which generates a period signal of the unit length T corresponding to the bit interval of the recording information, typically shown in Figs. 4 and 11 (column 7, lines 5-53).

On the other hand, in the description of the specification of the above identified U.S. Patent, the term "unit period" is defined as the period of a sync frame that has the length of $1488T$, on column 5, lines 58-59.

In order to remedy the problem described above, the amendment to claim 1 has been formulated to recite a unit length signal instead of the unit period signal. The basis for the newly introduced term "unit length" exists on column 7, line 52.

New claims 5-6 depending from the amended claim 1 and a new claim 7 depending from claim 6 have been added to recite the unit length more particularly and to recite the relationship between the period of a sync frame and the unit length.

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Specifically, the new claim 5 recites that the unit length corresponds to a bit interval that is specified by a recording format used for recording the information data. The new claim 6 recites that the unit period is a sync frame. The new claim 7 recites that the sync frame has a length which is 1488 times the unit length.

It is to be understood that the features recited in the new claims 5 - 7 are clearly described in the above-mentioned portions of the description of the patent, and no new matter has been introduced.

Additionally, in compliance with 37 C.F.R. §§1.175(a), we hereby declare and state that the above-identified U.S. Patent No. No. 5,920,530 is believed to be at least partly inoperative for the reason that we claimed less than we had the right to claim in the patent. The patent claim 1 recites, in the preamble, an information recording medium having pre-pits which are formed at periodic intervals having a period that is m , m being an integer, times as large as a unit period in accordance with pre-information recorded at an interval which deviates from said periodic intervals by an interval that is k , k being an integer, where $k < m$, times said unit period in accordance with recording positions.

It is believed that above-described feature relating to the period of periodic intervals is not essential to the important concept of the subject invention and a new apparatus claim is added that recites, in the preamble, an information recording medium having pre-pits which are formed at periodic intervals. The patent claim 1 also recites a recording means for recording the information data supplied from the memory on the recording medium. It is believed that a recording device may be recited in the body of the new apparatus claim instead of the recording means recited in the patent claim 1. Thus, a method claim which recites steps corresponding to the claim elements of the new apparatus claim is added.

In view of the points described above, the new claims 8 and 9 have been added.

New claim 8 corresponds to the patent claim 1, except that the details of the predetermined periodic intervals of the pre-pits recited in the preamble of claim 1 have not been carried over into the preamble of claim 8 and in the body of the claim 8 a recording device is recited instead of the recording means recited in claim 1. In the body of the new claim 8, essentially the same claim elements as those of claim 1 are recited. New claim 9 is a method claim corresponding to the new apparatus claim 8, in which steps that respectively

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correspond to claim elements of the claim 8 are recited.

We submit that the new claims 8 and 9 are believed to contain allowable subject matters in view of the fact that the prosecution history of the instant patent indicates that no prior art has been cited that teaches or suggests an information recording apparatus including a combination of: a unit period signal generator; a memory; a pre-pit signal reproducing circuit; and a phase-locked loop circuit relative operated as particularly recited in claim 1.

The purpose of seeking a reissue patent is to correct the scope of the claims and to correct the insufficiency in the patent claims by presenting new claims which are commensurate with the true scope our invention.

Pursuant to 37. C.F.R. § 1.175(a)(2), we state that all errors being corrected in the reissue application up to the time of filing this declaration arose without any deceptive intention.

We hereby appoint John H. Mion, Reg. No.18,879; Donald E. Zinn, Reg. No.19,046; Thomas J. Macpeak, Reg. No.19,292; Robert J. Seas, Jr., Reg. No.21,092; Darryl Mexic, Reg.No.23,063; Robert V. Sloan, Reg. No.22,775; Peter D. Olexy, Reg. No.24,513; J. Frank Osha, Reg. No.24,625; Waddell A. Biggart, Reg. No.24,861; Robert G. McMorrow, Reg. No.19,093; Louis Gubinsky, Reg. No.24,835; Neil B. Siegel, Reg. No.25,200; David J. Cushing, Reg. No.28,703; John R. Inge, Reg. No.26,916; Joseph J. Rich, Jr., Reg. No.26,577; Sheldon Landsman, Reg. No.25,430; Richard C. Turner, Reg. No.29,710; Howard L. Bernstein, Reg.No.25,665; Alan J. Kasper, Reg. No.25,426; Kenneth J. Burchfiel, Reg. No.31,333; Gordon Kit, Reg. No.30,764; Susan J. Mack, Reg. No.30,951; Frank L. Bernstein, Reg. No.31,484; 4 Mark Boland, Reg. No.32,197; William H. Mandir, Reg. No.32,156; Scott M. Daniels, Reg. No.32,562 and Abraham J. Rosner, Reg. No.33,276, our attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to SUGHRUE, MION, ZINN, MACPEAK & SEAS, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202.

We hereby declare that all statements made herein of our own knowledge are true and

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that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 7/4/2001

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Date: 7/2/2001

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Date: 7/4/2001

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